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Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE

(Legislative Department)

*New Delhi, the 25th May, 2010/Jyaistha 4, 1932 (Saka)*

### THE DADRA AND NAGAR HAVELI (CIVIL COURTS AND MISCELLANEOUS PROVISIONS) AMENDMENT REGULATION, 2010

No. 3 OF 2010

Promulgated by the President in the Sixty-first Year of the Republic of India.

A Regulation further to amend the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Regulation, 1963.

In exercise of the powers conferred by clause (1) of article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

1. (1) This Regulation may be called the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Amendment Regulation, 2010. Short title and commencement.

(2) It shall come into force at once.

Amendment of section 2. 2. In the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Regulation, 1963 (hereinafter referred to as the principal Regulation), in section 2,—

Reg. 8 of 1963.

(i) in sub-section (1),—

(A) in clause (a), the word "and" shall be omitted;

(B) for clause (b), the following clauses shall be substituted, namely:—

"(b) a court of the Civil Judge (Senior Division); and

(c) a court of the Civil Judge (Junior Division).";

(ii) in sub-section (2),—

(a) for the words "Civil Judge", the words "Civil Judges" shall be substituted;

(b) for the words "the Central Government", the words "the Administrator of the Union territory of Dadra and Nagar Haveli" shall be substituted.

Amendment of section 5.

3. In section 5 of the principal Regulation,—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) (a) The jurisdiction of the court of the District Judge and the court of the Civil Judge (Senior Division) shall extend to all original suits and proceedings of a civil nature.

(b) The jurisdiction of the court of the Civil Judge (Junior Division) shall extend to all original suits and proceedings of a civil nature wherein the subject matter does not exceed the value of one lakh rupees.";

(ii) in sub-section (3), for the words "Civil Judge" at both the places where they occur, the words "Civil Judges" shall be substituted;

(iii) after sub-section (3), the following sub-sections shall be inserted, namely:—

"(4) No court other than the court of the Civil Judge (Senior Division) shall receive or register any suit in which the Central Government or the Administrator of the Union territory of Dadra and Nagar Haveli or any officer of the Government in his official capacity is a party:

Provided that the Administrator of the Union territory of Dadra and Nagar Haveli may, by general or special order notified in the Official Gazette, direct that the provisions of this sub-section shall not apply to any suit or class or category of suit of the nature referred to in that order.

(5) Nothing contained in sub-section (4) shall apply to a suit against the administration of a Government Railway."

Amendment of section 6.

4. In section 6 of the principal Regulation, in sub-section (2), in clause (a), for the words "fifty thousand rupees", the words "one lakh rupees" shall be substituted.

Substitution of new section for section 7.

Small cause jurisdiction of court of Civil Judge.

5. For section 7 of the principal Regulation, the following section shall be substituted, namely:—

"7. (1) The High Court may invest any court of the Civil Judge with the jurisdiction of a Judge of the court of Small Causes under the Provincial Small Cause Courts Act, 1887, for the trial of small causes suits up to such value, as it may deem proper, not exceeding in the case of the court of the Civil Judge (Senior Division) three thousand rupees and in the case of the court of the Civil Judge (Junior Division) one thousand and five hundred rupees.

9 of 1887.

(2) The High Court may, whenever it thinks fit, withdraw such jurisdiction from any court of the Civil Judge so invested."

6. In section 8 of the principal Regulation, for the words "Civil Judge", wherever they occur, the words and brackets "Civil Judge (Senior Division)" shall be substituted. Amendment of section 8.

7. In section 9 of the principal Regulation, for the words "Civil Judge", the words and brackets "Civil Judge (Senior Division) or in his absence the Civil Judge (Junior Division)" shall be substituted. Amendment of section 9.

8. In section 10 of the principal Regulation, for the words "Civil Judge", the words "Civil Judges" shall be substituted. Amendment of section 10.

9. In section 11 of the principal Regulation, in sub-section (1), for the words "Civil Judge", the words "Civil Judges" shall be substituted. Amendment of section 11.

PRATIBHA DEVISINGH PATIL,

*President.*

V.K. BHASIN,

*Secy. to the Govt. of India.*